

TOWN OF WENHAM
Community Preservation Committee
Meeting of Tuesday, September 23, 2014
Town Hall, 138 Main Street

Pursuant to the Open Meeting Law, M.G.L. Chapter 30 A, §§ 18-25, written notice posted by the Town Clerk delivered to all Committee members, a meeting of the Community Preservation Committee (CPC) was held on SEPTEMBER 23, 2014 at 7 PM in the Selectmen Chambers.

WELCOME AND OVERVIEW OF THE AGENDA

With a quorum present, Chairman Davis called the meeting to order at 7 PM

Committee Present: At-Large Members: Harriet Davis, Chair; Patrick Waddell, Clerk; Kennon Anderson

Board/Committee Representatives: Arthur Burt, Wenham Housing Authority; Leo Maestranzi, Conservation Commission; Virginia Rogers, Planning Board; Dennis Curran, Joint Recreation Department;

Not Present: Barbara Locke, Historic District Commission; Tom Starr, At-Large member

Also present: Catherine Tinsley, Minutes Secretary;

Officials in attendance: Selectman Catherine Harrison; Finance Director Angel Wills

Public information

Agenda

CPA Presentation / Information

The meeting was recorded with permission by Hamilton Wenham Community Access & Media

Ms. Davis stated the purpose of the meeting was hear the Community Preservation presentation to include an overview of the Community Preservation Act, Act Amendments, Statewide Fund Status ,Project Trends, Future CPA Legislation on Beacon Hill, Helpful CPA Best Practices, Other CPA News

Stuart Saginor, Executive Director of the Community Preservation Coalition, was present. The Coalition is non-profit based out of Boston to help explain and adopt and implementation Community Preservation Act (CPA). Currently 155 communities participate in the Community Preservation Act.

The Coalition is supported by dues from member communities and provides:

Technical Assistance to those communities via email / phone Monday through Thursday: 617.367.8998

- Website
- Email newsletter and bulletins
- CPA advocacy and legislation
- Regional CPA conferences
- Ballot measures (Adoption changes
- Training, webinars, presentation etc

The CPA is funded through an additional \$20 flat fee surcharge for documents recorded at the window at the registry i.e. home equity loan, mortgages, plot plan refinancing, etc. These fees are sent daily to Department of Revenue and deposited into the CPA Trust Fund. In 2012, the State Legislature provided \$25 million from the state Fiscal Year (FY) 2013 budget surplus. This will be applied in the start of the new fiscal year in November 2014.

Funds are distributed to the participating communities through a formula. There are three rounds of funding.

- 80% is paid out equally
- 20% is reserved for those communities that have the maximum 3% surcharge

The Coalition's Steering Committee is considering lobbying the state for a permanent increase in the filing surcharge fee from \$20 to \$40 to increase the Trust funding. Towns will be asked to support this Bill 2015.

There was a review of the 2012 changes made and signed into law:

- CPA funds can now be used to rehabilitate and restore land for recreational use. Parks, playgrounds, athletic fields but Sec 5 (b) 2 reads: "with respect to recreational use, the acquisition of artificial turf for athletic fields shall be prohibited". It is the Town Counsel's responsibility to interpret this for the CPC.

Approved 11.3.14

- No experience in regional projects as far as overseeing the use of CPA, but funds can be expended in other communities, e.g. regional projects – State Laws go into effect.
 - Allowable uses: Does it...(Section 2 defines these terms)
 - Acquire: Open Space, Historic, Recreation, Housing
 - Create: Open Space Recreation, Housing (can not create historic)
 - Preserve: Open Space Historic, recreation, housing
 - Support: Housing
 - Rehabilitate / restore (if acquired /created with CPA funds): Open Space, Historic, Recreation, Housing
- Mr. Saginor said it is important to have this chart in making a decision to recommend a project and explore what rules are triggered. Some portion of CPA requires restrictions i.e. acquired property/ real property interest, requires permanent restriction through the state (Chapter 184); some are optional such as preservation.

Recreation:

- Outdoor recreational facilities only
- No horse or dog racing, stadiums, gymnasiums, or similar structure
- Capital project only
- No maintenance or operating costs

Town meeting can only vote on CPC recommended project with specific motions to all conditions deemed important with specific languages to address specific needs. Town meeting can approve CPA project, reject or approve with lesser amount (can not change scope). The CPC recommends the project, the project terms, and the funding source to Town Meeting.

New definitions of Capital Improvement:

- Reconstruction or alteration of real property
- Adds value *or prolongs a property's useful life*
- Perm Becomes part of the property *or is permanently affixed to the property*
- Maintenance is not allowed in any category

Open Space:

- Clarity procedure for issuing restrictions on land acquired with CPA funds
- It is ok to appropriate funds to non-profits to hold restrictions
- Funds can be incurred for the expenses i.e. closing costs, organization to hold restriction

Community Housing: Meaning of "Support" under the Housing category

- Included e.g. Housing Coordinator's salary (usually part time) paid for out of CPA budget to resolve issues
- Payments on debt service for capital projects

Language clarified:

- *Support programs that provide grants, loans rental assistance, security deposit, interest rate reductions, mortgage principal write downs, or other forms of assistance made directly to individuals and families who are eligible for community housing or to an entity that owns operates or manages such housing for the purpose of making housing affordable.*
- Historic Flow Chart
- The Secretary of the Interior's Standards for the Treatment of Historic Properties must always be followed

The next meeting of the CPC is October 6, 2014.

The Committee unanimously adjourned at 9:03 PM.

Respectfully submitted by

Catherine Tinsley
9.30.14

CPC 9.23.14